



County of Los Angeles CHIEF ADMINISTRATIVE OFFICE

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September 1, 2004

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Yvonne B. Burke
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

WASHINGTON D.C. UPDATE

Undocumented Immigrant Emergency Health Cost Reimbursement

As indicated in the attached September 1, 2004 email message sent to Congressional health staff, the Centers for Medicare and Medicaid Services (CMS) issued a Paperwork Reduction Act notice that establishes the process under which eligible providers can enroll to seek reimbursement for the cost of emergency medical care provided to undocumented immigrants and other eligible aliens pursuant to Section 1011 of the Medicare Modernization Act (MMA) of 2003. CMS indicates that a second notice on the payment methodology and the documentation of eligible costs will be issued shortly "in time for providers to make claims for services provided in October."

Subsection (d) of Section 1011 requires the Secretary of Health and Human Services (HHS) to "establish a process under which eligible providers located in a State may request payments" to reimburse their eligible costs by no later than September 1, 2004. CMS essentially accepted the County's recommendation that CMS should interpret this language as setting the deadline for establishing the application process and that CMS has more time with which to establish guidelines on the methodologies that providers may use to determine their reimbursable costs. We will continue to urge CMS to

Each Supervisor
September 1, 2004
Page 2

provide the County and others with a meaningful opportunity to review and comment on any new information collection activities that would be required to receive funding under the program.

We will continue to keep you advised.

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Attachment

c: Executive Officer, Board of Supervisors
County Counsel
All Department Heads
Legislative Strategist

Attachment

U.S. House and Senate Notification
Wednesday, September 1, 2004

To: Congressional Health Staff

From: Carleen Talley
Director, Congressional Affairs Group
Office of Legislation
Centers for Medicare & Medicaid Services

Subject: CMS Publishes Notice Establishing Provider Enrollment
Process for Section 1011 of MMA

Today, the Centers for Medicare & Medicaid Services (CMS) issued a Paperwork Reduction Act notice that establishes the process under which eligible providers can enroll to seek reimbursement for services provided to undocumented immigrants (pursuant to section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA)). By completing an enrollment application, a provider indicates potential interest in seeking payment under section 1011; however, it in no way will obligate providers to participate.

A second notice on the payment methodology will be issued shortly and will finalize CMS' coverage and payment approach and the amount of documentation needed to establish patient eligibility. CMS received many helpful and substantive comments about this methodology, and we are working hard to incorporate that input. In developing the methodology, we are making sure providers can be paid appropriately for uncompensated emergency care for undocumented immigrants, while minimizing the burden on patients and health care providers. The payment methodology will be available in time for providers to make claims for services provided in October.

The provider enrollment notice is on display today at the offices of the Federal Register and will be published in the Federal Register on Friday, September 3, 2004. The notice will also be accessible on the CMS website soon.

If you have any questions or if we can provide additional assistance, please contact John Graham (202-690-8606). Thank you.